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Dae-Sik Oh

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SAFAIPOUR, BOBBAK

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/753,941	<b>Applicant(s)</b> OH ET AL.	
	<b>Examiner</b> BOBBAK SAFAIPOUR	<b>Art Unit</b> 2618	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 November 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to the rejection(s) of claim(s) 1-31 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection has been made.

### ***Double Patenting***

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

**Claims 1-8, 11-12, 17-20, 23-27, and 29** are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-8, 10-11, 15-18, and 21-26 of U.S. Patent No. 7,299,005 B1. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the current application encompass

the same subject matter as the patented claims as recited in US 7,299,005 B1. For example, claim 1 of 7,299,005 B1 encompass every limitation of the instant application, i.e. “A wireless repeater for receiving, amplifying and transmitting one or more wireless signals comprising: a signal processing device for determining one or more attributes of a wireless signal received from a mobile device; a memory for storing a reference list that includes a list of one or more preferred frequency bandwidths to be amplified and transmitted; a controller coupled with the signal processing device for comparing the one or more attributes of the wireless signal with the reference list, wherein the controller selects a first active set of one or more frequency bandwidths from the preferred frequency bandwidths based on the comparison; and a first reception filter coupled with the controller, wherein the first reception filter, responsive to one or more control signals from the controller, filters out signals, communicated to the first reception filter, having frequencies not within the first active set of frequency bandwidths.”

The difference between US 7,299,005 and the instant application is the signal processing device for determining one or more attributes of a wireless signal is received from the base transceiver station in the instant application, whereas the signal processing device for determining one or more attributes of a wireless signal is received from a mobile device of US 7,299,005 B1. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the wireless repeater so that the signal processing device for determining one or more of the attributes of a wireless signal is received from the mobile station in order for the repeater to employ bi-directional communication, wherein signals are sent and received from a base transceiver station and a mobile device.

Furthermore, claims 2-8, 11-12, 17-20, 23-27, and 29 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 2-8, 10-11, 15-18, and 21-26 of U.S. Patent No. 7,299,005 B1. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the current application encompass the same subject matter as the patented claims as recited in US 7,299,005 B1. (See nonstatutory obviousness-type double patenting of claim 1 above)

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**Claims 1, 2, 8-10 and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee et al. (US #2005/0227619; hereinafter Lee)** in view of **Knuth et al. (US 5,197,093; hereinafter Knuth)**.

Consider **claim 1**, Lee discloses a wireless repeater for receiving, amplifying and transmitting one or more wireless signals (abstract; paragraphs 9-12) comprising: a signal processing device for determining one or more attributes of a wireless signal received from a base transceiver station (abstract; paragraphs 9-12); a first reception filter coupled with the controller, wherein the first reception filter, responsive to one or more control signals from the controller, filters out signals, communicated to the first reception filter, having frequencies not within the first active set of frequency bandwidths (paragraph 21; Lee teaches an amplifier (HPA) 112 for amplifying transmission signals; a filter unit 114 for eliminating undesired band signals from the transmission signals; and a transmitting side antenna 116 for receiving signals outputted from the amplifier 112, and transmitting the outputted signals to a shadow area or an urban area).

Lee fails to disclose a memory for storing a reference list that includes a list of one or more preferred frequency bandwidths to be amplified and transmitted; and a controller coupled with the signal processing device for comparing the one or more attributes of the wireless signal from the base transceiver station with the reference list, wherein the controller

selects a first active set of one or more frequency bandwidths from the preferred frequency bandwidths based on the comparison.

In related art, Knuth discloses a memory for a memory for storing a reference list that includes a list of one or more preferred frequency bandwidths to be amplified and transmitted (col. 2, lines 45-65; Knuth uses the system's idle time to survey and store in memory, channel usage or other source of interference by others in the local area. It uses this information to make an intelligent choice of frequency for its own use); and a controller coupled with the signal processing device for comparing the one or more attributes of the wireless signal from the base transceiver station with the reference list, wherein the controller selects a first active set of one or more frequency bandwidths from the preferred frequency bandwidths based on the comparison (col. 2, lines 45-65; col. 2, line 66 to col. 3, line 10; The unit will scan each of the channels and begin to record usage and interference and keep a running "score" for each channel in memory. The base and handset will agree which frequency to use, along with a prioritized choice of several alternative channels in case the primary channel is busy at that time.).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the memory for storing a reference list of Knuth into the wireless repeater of Lee to choose the channel with the highest probability of being free from interference.

Consider **claim 25**, Lee discloses a method of receiving, amplifying and transmitting one or more wireless signals using a wireless repeater (paragraph 5) comprising:

receiving a wireless signal from base transceiver station (abstract; paragraph 21);

determining one or more attributes of the wireless signal from the base transceiver station (abstract; paragraph 21);

filtering out signals, received by the wireless repeater with a first receiving device, having frequencies not within the first active set of frequency bandwidths prior to amplifying and transmitting (paragraph 21; Lee teaches an amplifier (HPA) 112 for amplifying transmission signals; a filter unit 114 for eliminating undesired band signals from the transmission signals; and a transmitting side antenna 116 for receiving signals outputted from the amplifier 112, and transmitting the outputted signals to a shadow area or an urban area).

Lee fails to disclose determining a first active set of frequency bandwidths by comparing at least one of the one or more attributes with a reference list that includes preferred frequency bandwidths.

In related art, Knuth discloses determining a first active set of frequency bandwidths by comparing at least one of the one or more attributes with a reference list that includes preferred frequency bandwidths (col. 2, lines 45-65; col. 2, line 66 to col. 3, line 10; The unit will scan each of the channels and begin to record usage and interference and keep a running “score” for each channel in memory. The base and handset will agree which frequency to use, along with a prioritized choice of several alternative channels in case the primary channel is busy at that time.).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the memory for storing a reference list of Knuth into the wireless repeater of Lee to choose the channel with the highest probability of being free from interference.



Consider **claim 2**, and **as applied to claim 1 above**, Lee, as modified by Knuth, discloses the claimed invention wherein the one or more attributes includes a frequency of the wireless signal received from the base transceiver station. (Lee: paragraph 21)

Consider **claim 8**, and **as applied to claim 1 above**, Lee, as modified by Knuth, discloses claimed invention wherein the signal processing devices comprises a digital signal processor. (Lee: paragraph 28)

Consider **claim 9**, and **as applied to claim 1 above**, Lee, as modified by Knuth, discloses the claimed invention wherein the signal processing device comprises a mobile device chipset. (Lee: paragraph 28)

Consider **claim 10**, and **as applied to claim 9 above**, Lee, as modified by Knuth, discloses the claimed invention wherein the mobile device chipset is a code division multiple access device chipset. (Lee: paragraphs 9 and 28)

**Claims 11-12** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee et al.** (US #2005/0227619; hereinafter Lee) in view of **Knuth et al.** (US 5,197,093; hereinafter Knuth) and in further view of **Daane et al.** (US #6,754,196; hereinafter Daane).

Consider **claim 11**, and **as applied to claim 9 above**, Lee, as modified by Knuth, discloses the claimed invention except for wherein each of the preferred frequency bandwidths in the reference list corresponds with a respective mobile communication network.

In related art, Daane discloses wherein each of the preferred frequency bandwidths in the reference list corresponds with a respective mobile communication network. (col. 11, lines 10-34)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Daane into the teachings of Lee and Knuth in order to transmit to a particular transceiver in wireless broadband network associated with a particular frequency.

Consider **claim 12**, and **as applied to claim 11 above**, Lee, as modified by Knuth and Daane, disclose the claimed invention wherein the reference list further includes, for each preferred frequency bandwidth, information designating the respective mobile communication network. (Daane: col. 11, lines 10-34)

**Claims 13, 17, and 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee et al. (US #2005/0227619; hereinafter Lee)** in view of **Knuth et al. (US 5,197,093; hereinafter Knuth)** and in further view of **Sorenson et al (US Patent #6,463,298)**.

Consider **claim 13**, and **as applied to claim 1 above**, Lee, as modified by Knuth, discloses the claimed invention except for wherein the reference list comprises a preferred roaming list.

In related art, Sorenson et al disclose a preferred roaming list. (col. 3, lines 10-20)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Sorenson et al into the teachings of Lee and Knuth to incorporate a preferred roaming list over other system choices when the device is seeking to establish service.

Consider **claim 17**, and **as applied to claim 1 above**, Lee, as modified by Knuth, discloses the claimed invention except for wherein the wireless repeater further comprises a display device for displaying a result of the comparison of the one or more attributes with the reference list.

In related art, Sorenson discloses wherein the wireless repeater further comprises a display device for displaying a result of the comparison of the one or more attributes with the reference list. (Sorenson et al: col. 3, lines 10-27)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Sorenson et al into the teachings of Schmutz and Latt to incorporate a preferred roaming list over other system choices when the device is seeking to establish service.

Consider **claim 29**, and **as applied to claim 25 above**, Lee, as modified by Knuth, discloses the claimed invention except for wherein displaying a result of the comparison of the one or more attributes with the reference list.

In related art, Sorenson discloses wherein the wireless repeater further comprises a display device for displaying a result of the comparison of the one or more attributes with the reference list. (Sorenson et al: col. 3, lines 10-27)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Sorenson et al into the teachings of Schmutz and Latt to incorporate a preferred roaming list over other system choices when the device is seeking to establish service.

**Claim 30** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee et al. (US #2005/0227619; hereinafter Lee)** in view of **Knuth et al. (US 5,197,093; hereinafter Knuth)** in further view of **Sorenson et al (US Patent #6,463,298)** and in further view of **Schmutz (US #2001/0031621 A1)**.

Consider **claim 30**, and **as applied to claim 29 above**, Lee, as modified by Knuth and Sorenson, discloses the claimed invention except for wherein displaying a result of the comparison comprises displaying information corresponding with at least one of a system identification and a network identification, wherein the system identification and the network identification are included in a sync-channel message.

In related art, Schmutz discloses displaying a result of the comparison comprises displaying information corresponding with at least one of a system identification and a network identification, wherein the system identification and the network identification are included in a sync-channel message. (Schmutz: figures 3a-3b, paragraphs 36-38)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Schmutz into the teachings of Lee, Knuth, and Schmutz in order to automatically configure the wireless repeater.

**Claims 14-16 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee et al. (US #2005/0227619; hereinafter Lee)** in view of **Knuth et al. (US 5,197,093; hereinafter Knuth)** and in further view of **Schmutz (US #2001/0031621 A1)**.

Consider **claim 14**, and **as applied to claim 1 above**, Lee, as modified by Knuth, discloses the claimed invention except for wherein the wireless signal received from the base transceiver station is a synch-channel signal, and one of the one or more attributes comprises a sync-channel message.

In related art, Schmutz discloses the wireless signal received from the base transceiver station is a synch-channel signal, and one of the one or more attributes comprises a sync-channel message. (figures 3a-3b, paragraphs 36-38)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Schmutz into the teachings of Lee and Knuth in order to automatically configure the wireless repeater.

Consider **claim 15**, and **as applied to claim 14 above**, Lee, as modified by Knuth and Schmutz, discloses the claimed invention wherein the reference list includes an expected synch-channel message for each of the preferred frequency bandwidths. (Schmutz: figures 3a-3b, paragraphs 36-38)

Consider **claim 16**, and **as applied to claim 14 above**, Lee, as modified by Knuth and Schmutz, discloses the claimed invention wherein the signal processing device communicates the sync-channel message to the controller, and the controller compares the synch-channel message with the reference list to determine the first set of frequency bandwidths. (Schmutz: figures 3a-3b, paragraphs 36-38)

Consider **claim 28**, and **as applied to claim 25 above**, Lee, as modified by Knuth, discloses the claimed invention except for wherein determining the one or more attributes of the wireless signal from the base transceiver station comprises determining a synch-channel message to be compared with the reference list to determine the first and second active sets of frequency bandwidths.

In related art, Schmutz discloses determining the one or more attributes of the wireless signal from the base transceiver station comprises determining a synch-channel message to be compared with the reference list to determine the first and second active sets of frequency bandwidths. (figures 3a-3b, paragraphs 36-38)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Schmutz into the teachings of Lee and Knuth in order to automatically configure the wireless repeater.

**Claims 18 and 23-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Dinkel et al. (US #2003/0114103; hereinafter Dinkel)** in view of **Knuth et al. (US 5,197,093; hereinafter Knuth)**

Consider **claim 18**, Dinkel discloses a wireless repeater for receiving, amplifying and transmitting one or more wireless signals (paragraph 21) comprising: a first antenna for receiving a wireless signal from a base transceiver station (paragraph 21); a signal processing device coupled with the first antenna for determining from the wireless signal from the base transceiver station, at least one of a frequency of the signal and information indicating a wireless provider (paragraphs 29-31); a first reception filter coupled with the controller, wherein the first reception filter, responsive to control signals from the controller, filters out signals, received with the first antenna, of frequencies not in the first active set of frequency bandwidths (paragraphs 27-30); a first amplifier coupled with the first reception filter for amplifying signals received from the first reception filter (paragraphs 25-27; figure 1, a first amplifier 40 coupled with the first reception filter (channelizer 120 which has a filter unit) for amplifying signals from the reception filter); and a second antenna coupled with the first amplifier for transmitting the amplified signals to a mobile device (paragraphs 25-27).

Dinkel fails to teach a reference list that contains preferred frequencies to be amplified and transmitted; and a controller coupled with the signal processing device for comparing at least

one of the frequency of the wireless signal from the mobile device and the information indicating a wireless provider with the reference list, wherein the controller selects a first active set of frequency bandwidths from the preferred frequency bandwidths based on the comparison.

In related art, Knuth discloses a reference list that contains preferred frequencies to be amplified and transmitted (col. 2, lines 45-65; Knuth uses the system's idle time to survey and store in memory, channel usage or other source of interference by others in the local area. It uses this information to make an intelligent choice of frequency for its own use); and a controller coupled with the signal processing device for comparing at least one of the frequency of the wireless signal from the mobile device and the information indicating a wireless provider with the reference list, wherein the controller selects a first active set of frequency bandwidths from the preferred frequency bandwidths based on the comparison (col. 2, lines 45-65; col. 2, line 66 to col. 3, line 10; The unit will scan each of the channels and begin to record usage and interference and keep a running "score" for each channel in memory. The base and handset will agree which frequency to use, along with a prioritized choice of several alternative channels in case the primary channel is busy at that time.).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the memory for storing a reference list of Knuth into the wireless repeater of Dinkel to choose the channel with the highest probability of being free from interference.



Consider **claim 23**, and **as applied to claim 18 above**, Dinkel, as modified by Knuth, disclose the claimed invention wherein the signal processing device comprises a digital signal processor. (Dinkel: paragraphs 29-31)

Consider **claim 24**, and **as applied to claim 18 above**, Dinkel, as modified by Knuth, disclose the claimed invention wherein the signal processing device and the controller are included in a single electronic component. (Dinkel: paragraphs 29-31)

**Claim 21** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Dinkel et al. (US #2003/0114103)** in view of **Knuth et al. (US 5,197,093; hereinafter Knuth)** and in further view of **Schmutz (US #2001/0031621 A1)**.

Consider **claim 21**, and **as applied to claim 18 above**, Dinkel, as modified by Knuth, discloses the claimed invention except for wherein the wireless signal received from the base transceiver station is a synch-channel signal, and one of the one or more attributes comprises a sync-channel message.

In related art, Schmutz discloses the wireless signal received from the base transceiver station is a synch-channel signal, and one of the one or more attributes comprises a sync-channel message. (figures 3a-3b, paragraphs 36-38)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Schmutz into the teachings of Dinkel and Knuth in order to automatically configure the wireless repeater.

**Claim 22** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Dinkel et al. (US #2003/0114103)** in view of **Knuth et al. (US 5,197,093; hereinafter Knuth)** and in further view of **Sorenson et al (US Patent #6,463,298)**.

Consider **claim 22**, and **as applied to claim 1 above**, Dinkel, as modified by Knuth, discloses the claimed invention except for wherein the reference list comprises a preferred roaming list.

In related art, Sorenson et al disclose a preferred roaming list. (col. 3, lines 10-20)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Sorenson et al into the teachings of Dinkel and Knuth to incorporate a preferred roaming list over other system choices when the device is seeking to establish service.

#### *Allowable Subject Matter*

**Claim 3** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Consider **claim 3**, the best prior art of record, Lee (US #2005/0227619) in view of Knuth et al. (US 5,197,093) fails to specifically suggest, teach, or disclose a second reception filter coupled with the second antenna and the controller, wherein the second reception filter,

responsive to control signals from the controller, filters out signals, received with the second antenna, having frequencies not within a second active set of frequency bandwidths, wherein the second active set of frequency bandwidths is determined based on the comparison of the one or more attributes of the wireless signal from the base transceiver station with the reference list.

**Claims 4-7** would be allowable because they are dependent on claim 3.

**Claim 19** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Consider **claim 19**, the best prior art of record, Lee (US #2005/0227619), Knuth et al. (US 5,197,093) and Dinkel et al. (US #2003/0114103) fails to specifically suggest, teach, or disclose a second reception filter coupled with the second antenna and the controller, wherein the second reception filter, responsive to control signals from the controller, filters out signals, received with the second antenna, having frequencies not within a second active set of frequency bandwidths, wherein the second active set of frequency bandwidths is determined based on the comparison of the one or more attributes of the wireless signal from the base transceiver station with the reference list.

**Claim 20** would be allowable because they are dependent on claim 19.

**Claim 26** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Consider **claim 26**, the best prior art of record, Lee (US #2005/0227619), Knuth et al. (US 5,197,093) and Dinkel et al. (US #2003/0114103) fails to specifically suggest, teach, or disclose a second active set of frequency bandwidths based on the comparison of the at least one of the one or more attributes with the reference list; and filtering out signals, received by the wireless repeater with a second receiving device, having frequencies not within the second active set of frequency bandwidths.

**Claim 27** would be allowable because they are dependent on claim 26.

### ***Conclusion***

Any response to this Office Action should be **faxed to** (571) 273-8300 **or mailed to:**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Hand-delivered responses** should be brought to

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Bobbak Safaipoor whose telephone number is (571) 270-1092. The Examiner can normally be reached on Monday-Friday from 9:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

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May 26, 2008

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